

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION

IN RE:)
)
FIRST STREET MART, INC.) Case No. 10-50580
) Chapter 7
Debtor.)
_____)

TRUSTEE'S MOTION TO EMPLOY COUNSEL

NOW COMES Bruce Magers, Trustee in the above captioned Chapter 7 case, and moves the Court for an order, authorizing the employment of Daniel C. Bruton and the law firm of Bell, Davis & Pitt, P.A. as special counsel pursuant to 11 U.S.C. § 327(a). In support of this Motion, the Trustee shows the Court the following:

1. Bruce Magers, Trustee, can handle this case more efficiently and effectively with the help of counsel to assist him in connection with the collection and potential litigation Rubina Khan and Jay Mahi, Inc. regarding the recovery of certain transfers of estate assets to those persons / entities.

2. Daniel C. Bruton is qualified to serve as special counsel, as indicated by the attached affidavit, attached hereto as Exhibit A.

WHEREFORE, based on the foregoing, Bruce Magers, Trustee, moves the Court for an Order authorizing the employment of Daniel C. Bruton and the law firm of Bell, Davis & Pitt, P.A. as special counsel to represent him in the above-referenced proceeding on a contingency of 25% plus costs, to be approved by this Court.

Respectfully submitted, this the 25th day of June, 2010.

/s/ Bruce Magers
Bruce Magers
Chapter 7 Trustee
P.O. Box 21433
Winston-Salem, NC 27120-1433

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STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

Daniel C. Bruton, being first duly sworn by the undersigned officer authorized to administer oaths, deposes and says that:

1. He is an attorney duly admitted to practice law in the state of North Carolina and before this Court, and he maintains an office for the practice of law with the firm of Bell, Davis & Pitt, P.A. in Winston-Salem, North Carolina.

2. He is not a creditor or stockholder of the Debtor.

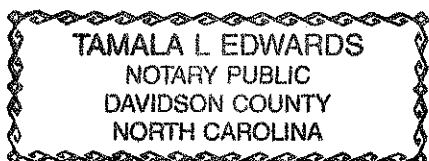
3. He has no connection with the Debtor, its creditors, or any other party in interest, or their respective attorneys, and represents no interest adverse to the Debtor or their estate in connection with this bankruptcy proceeding.

4. According to the Debtor's bankruptcy schedules, the Debtor does owe certain credit card obligations to Bank of America. Daniel Bruton and the law firm of Bell Davis & Pitt, P.A. do sometimes represent Bank of America in matters wholly unrelated to this case.

This the 25th day of June, 2010


Daniel C. Bruton, Affiant

SIGNED AND SWORN TO before me on this the 25th day of June, 2010 by
Daniel C. Bruton.




NOTARY PUBLIC

My Commission Expires:
7-26-14



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CERTIFICATE OF SERVICE

This is to certify that a copy of the attached TRUSTEE'S MOTION TO EMPLOY SPECIAL COUNSEL in the above captioned case was duly served on the parties listed below by depositing said copy in the United States Mail, Winston-Salem, North Carolina, first class, postage fully prepaid and addressed as follows:

Michael D. West, Esq.
United States Bankruptcy Administrator
Middle District of North Carolina
P.O. Box 1828
Greensboro, NC 27402

Daniel C. Bruton
P.O. Box 21029
Winston-Salem, NC 27120-1029

Wendell Wes Schollander, III
Suite 308
2000 W. First St.
Winston-Salem, NC 27104-4225

Bruce Magers
245 Nanzetta Way
Lewisville, NC 27023

This the 25th day of June, 2010.



Daniel C. Bruton
State Bar No. 22440